

**CUSTOMER CLAIM**

Claim Number \_\_\_\_\_

Date Received \_\_\_\_\_

**BERNARD L. MADOFF INVESTMENT SECURITIES LLC**

In Liquidation

**DECEMBER 11, 2008**

(Please print or type)

Name of Customer: Michael H. Ostrove and Lisa Ostrove J/T WROS

Mailing Address: 240 East 47th Street, Apt. #30EF

City: New York State: NY Zip: 10017

Account No.: ICM360

Taxpayer I.D. Number (Social Security No.): \_\_\_\_\_ Redacted

**NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.**

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**1. Claim for money balances as of December 11, 2008:**

- a. The Broker owes me a Credit (Cr.) Balance of \$ 0
- b. I owe the Broker a Debit (Dr.) Balance of \$ 0
- c. If you wish to repay the Debit Balance,  
please insert the amount you wish to repay and  
attach a check payable to "Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC."  
If you wish to make a payment, it must be enclosed  
with this claim form. \$ 0  
None
- d. If balance is zero, insert "None." None

2. Claim for securities as of **December 11, 2008:**

**PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.**

	<u>YES</u>	<u>NO</u>
a. The Broker owes me securities	<u>X</u>	
b. I owe the Broker securities		<u>X</u>
c. If yes to either, please list below:		

Date of Transaction (trade date)	Name of Security	Number of Shares or Face Amount of Bonds	The Broker Owes Me (Long)	I Owe the Broker (Short)
<u>See Nov. 30, 2008 CM360 statements, attached hereto as Exhibit A</u>				
<u>\$947,962.30</u>	<u>(market value of securities long, per CM360-3 statement)</u>			
<u>33,000.00</u>	<u>(market value of securities long, per CM360-4 statement)</u>			
<u>(46,600.00)</u>	<u>(market value of securities short, per CM360-4 statement)</u>			
<u>Total \$934,362.30</u>				

**Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.**

See Exhibits A and B, and documents submitted herewith.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

**PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.**

**NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.**

- |                                                                                                                                                                                                           | <u>YES</u> | <u>NO</u> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------|
| 3. Has there been any change in your account since December 11, 2008? If so, please explain.                                                                                                              | _____      | <u>X</u>  |
| 4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?                                                                                         | _____      | <u>X</u>  |
| 5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker? | _____      | <u>X</u>  |
| 6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)    | _____      | <u>X</u>  |
| 7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.                         | _____      | <u>X</u>  |
| 8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.                   | _____      | <u>X</u>  |
| 9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.                                                        | _____      | <u>X</u>  |

Please list the full name and address of anyone assisting you in the preparation of this claim form: Matthew Kupillas, Esq., Milberg LLP,  
One Pennsylvania Plaza, New York, NY 10119

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

**IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.**

**THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.**

Date 4/7/09 Signature Lisa Ostrove  
Lisa Ostrove  
Date 4/12/09 Signature Michael Ostrove  
Michael Ostrove

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

**This customer claim form must be completed and mailed promptly,  
together with supporting documentation, etc. to:**

Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Ave., Suite 800  
Dallas, TX 75201

# **EXHIBIT A**

Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

*note 10*  
*11/2/12*  
*11/2/12*

885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 334-1343  
Fax (212) 838-4061

*Goldman*

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

**MICHAEL H. OSTROVE**  
AND **LISA OSTROVE J/T WROS**

240 EAST 47TH STREET APT #30EF  
NEW YORK NY 10017

11/30/08

\*\*\*\*\*2665

1-CM360-3-0

DATE	QUANTITY	DESCRIPTION	UNIT COST	MARKET VALUE	MARKET VALUE
11/12		BALANCE FORWARD		57,311.11	
11/12	340	INTERNATIONAL BUSINESS MACHS	257.80	29,051.60	
11/12	1,260	EXXON MOBIL CORP	67.270	29,684.80	
11/12	1,288	INTEL CORP	72.880	91,878.80	
11/12	900	J.P. MORGAN CHASE & CO	14.510	20,778.80	
11/12	480	COCA COLA CO	38.530	34,715.00	
11/12	380	MERCK & CO	44.660	21,455.80	
11/12	1,900	MICROSOFT CORP	55.370	15,514.60	
11/12	960	ORACLE CORPORATION	21.810	11,515.00	
11/12	388	PEPSICO INC	17.300	16,646.00	
11/12	1,920	Pfizer Inc	56.410	21,450.80	
11/12	380	ABBOTT LABORATORIES	100.000	27,300.80	
11/12	720	PROCTER & GAMBLE CO	54.610	20,766.80	
11/12	300	PHILLIP MORRIS INTERNATIONAL	44.080	6,615.60	
11/12	1,200	BANK OF AMERICA	42.600	21,820.00	
11/12	600	QUALCOMM INC	21.590	25,956.00	
11/12	300	SCHLUMBERGER LTD	33.770	13,524.00	
11/12	720	COMCAST CORP	16.510	11,915.20	
11/12		CONTINUED ON PAGE 2			

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

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11/12	1420	76428	AT&T INC	27	38,396.00	
11/12	1420	76428	CONCOMPHILIPS	52,510	18,917.60	
11/12	1420	76428	UNITED BANKING INC	16,730	24,483.80	
11/12	1420	81256	CISCO SYSTEMS INC	29,530	12,418.60	
11/12	1420	85980	U.S. BANCORP	33,160	12,167.40	
11/12	240	89408	UNITED TECHNOLOGIES CORP	19,630	49,961.20	
11/12	2540	89908	GENERAL ELECTRIC CO	30,610	20,705.80	
11/12	680	93732	VERIZON COMMUNICATIONS	29,800	25,065.00	
11/12	840	98058	WELLS FARGO 2-00 NEW	34,900	20,964.00	
11/12	600	98560	HEWLETT PACKARD CO	89,936	899,424.00	
11/12		20671	U.S. TREASURY BILL		16.68	
11/12			FIDELITY SPARTAN	DIV		
11/12			U.S. TREASURY MONEY MARKET			
11/12			FIDELITY SPARTAN			
11/12			U.S. TREASURY MONEY MARKET			
11/12			FIDELITY SPARTAN			
11/12			U.S. TREASURY MONEY MARKET			
11/12			FIDELITY SPARTAN			
11/12			U.S. TREASURY MONEY MARKET			
11/12			CONTINUED ON PAGE 3			

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DATE	QUANTITY	UNIT COST	DESCRIPTION	MARKET	MARKET VALUE	MARKET PRICE
11/19		6,853	FIDELITY SPARTAN			
			U.S. TREASURY MONEY MARKET			
	50,000		U.S. TREASURY MONEY MARKET			
			DUE 03/26/2009			
11/30			FIDELITY SPARTAN			
			U.S. TREASURY MONEY MARKET			
			NEW BALANCE			
	14,420		ABBOTT LABORATORIES			
	380		ABBOTT LABORATORIES			
	260		ABBOTT LABORATORIES			
	1,120		BANK OF AMERICA			
	500		CHEVRON CORP			
	1,460		CISCO SYSTEMS INC			
	1,580		GENERAL ELECTRIC CO			
	480		GENERAL ELECTRIC CO			
	720		COMCAST CORP			
			GENERAL ELECTRIC CO			
	1,280		GENERAL ELECTRIC CO			
	2,540		GENERAL ELECTRIC CO			

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QUANTITY	ACQUISITION DATE	DESCRIPTION	UNIT COST	MARKET VALUE
60		GOOGLE	292.960	
600		HEWLETT-PACKARD CO	35.280	
1,200		INTEL CORP	11.800	
340		INTERNATIONAL BUSINESS MACHS	81.680	
900		J.P. MORGAN CHASE & CO	31.660	
640		JOHNSON & JOHNSON	58.580	
100		HOBBAS INC	53.400	
360		HEWLETT-PACKARD CO	20.420	
1,900		MICROSOFT CORP	20.220	
960		ORACLE CORPORATION	16.080	
1,000		PEPPER HONE	50.000	
1,000		PFIZER INC	16.450	
500		PHILLIP MORRIS INTERNATIONAL	42.140	
720		PROCTER & GAMBLE CO	64.350	
1,000		QUANTIS INC	3.350	
360		SCHLUMBERGER LTD	50.440	
16,811		FIDELITY SPARTAN	1	
1,000		U.S. TREASURY MONEY MARKET	25.000	
240		UNITED PARCEL SVC INC	54.680	
50,000		CLASS B	99.971	
		U.S. TREASURY BTL		
		U.S. TREASURY BTL		
240		UNITED TECHNOLOGIES CORP	48.530	
		UNITED TECHNOLOGIES CORP		

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## YEAR-TO-DATE SUMMARY

DEVELOPING  
GROSS PROCEEDS FROM SALES

Customer Claim Page 1 of 16

**PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES**

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# **EXHIBIT B**

**EXHIBIT B**

1. This Claim Form, exhibits, and supporting documentation (collectively "Claim Form") is submitted pursuant to the December 23, 2008 Order of the Honorable Burton R. Lifland and the instructions disseminated by Irving H. Picard, Trustee for Bernard L. Madoff Investment Securities LLC ("Trustee"), on December 11, 2008.
2. The information provided in the Claim Form is based on the information provided in the Claimant's latest Madoff account statement and any additional information known by the Claimant as of the date of the submission of the Claim Form. The Claimant reserves the right to amend and/or supplement this Claim Form upon the receipt of further information, or upon request by the Trustee for additional information.
3. The Claimant reserves the right to amend the Claim Form in the event of any recoveries by the Trustee or any other party under the avoidance powers of the Bankruptcy Code or otherwise, or in the event of rejections of executory contracts pursuant to Bankruptcy Code Section 365, whether such amendments are made pursuant to Bankruptcy Code Sections 105, 502(g), or 502(h), Bankruptcy Rule 3002(c)(3), (4), other provisions of applicable bankruptcy law, or general principles of law and equity.
4. The Claimant hereby requests that the Claim Form be considered as a proof of claim in *In re Bernard L. Madoff Investment Securities LLC*, No. 08-01789 (Bankr. S.D.N.Y.).
5. This Claim Form is required to be submitted pursuant to the Court's January 2, 2009 Order and the Trustee's instructions to the Claimant. To the extent permitted by the applicable law, the Claimant does not consent to the jurisdiction of the Bankruptcy Court nor does Claimant waive any right to trial by jury.
6. The Claimant reserves all rights, claims, and/or defenses as to and/or against any and all parties potentially liable for the losses sustained by the Claimant, including, without limitation, Bernard L. Madoff Investment Securities LLC and its owners, partners, employees, and affiliates, as well as any potentially liable third parties including, without limitation, investment advisors, "feeder funds," accountants, and auditors.
7. The Claimant further reserves all rights, claims, and/or defenses as to and/or against any persons and/or creditors asserting claims against Bernard L. Madoff Investment Securities LLC, its employees, owners, and/or affiliates, in bankruptcy or otherwise.
8. The Claimant reserves all objections as to the competence, relevance, materiality, privilege, or admissibility of evidence in any subsequent proceeding or trial of this or any other action for any purpose whatsoever, notwithstanding the submission of any such information to the Trustee.
9. To the extent the Claimant has disclosed to the Trustee documents containing accounting and/or legal advice, the Claimant does not waive any potential privileges applicable thereto.

10. The Claimant reserves all rights with respect to submitting information to the Internal Revenue Service regarding gains, losses, and/or theft of assets.
11. The Claim Form and supporting documents contain confidential information. The Claimant submits this information to the Trustee subject to the condition that this information will not be disclosed to any third parties, other than under seal to the Court, absent the Claimant's express consent or Court order.
12. During the lifetime of the account, the Claimant may have contributed and/or withdrawn sums of money. The Claimant's final account balance set forth in Exhibit A takes into account any such contributions and/or withdrawals. Claimant continues to search for additional documents relating to such contributions or withdrawals and reserves the right to supplement this submission if additional documents are found.
13. The Claimant submits herewith documents in support of the Claimant's claim. The Claimant reserves any arguments that such documents are not relevant to the Trustee's inquiry. The Claimant further reserves the right to supplement this submission, including the submission of additional documents if deemed necessary. Below is a list of the documents submitted herewith:

**2002:**

- Portfolio Management Report as of 12/31/02
- Debit memos dated 04/24/02 and 12/04/02
- Credit memo dated 05/02/02

**2003:**

- Credit memos dated 06/19/03 and 07/24/03

**2004:**

- Portfolio Management Reports as of 03/31/04, 06/30/04 and 12/31/04
- Debit memos dated 04/13/04 and 09/28/04

**2005:**

- Portfolio Management Report as of 03/31/05
- Credit memo dated 08/19/05
- Debit memo dated 11/22/05

**2006:**

- BMIS LLC Account Statement as of 12/31/06
- Portfolio Management Report as of 09/30/06
- Debit memo dated 04/13/06
- Credit memo dated 06/15/06

**2007:**

- Portfolio Management Reports as of 03/31/07 and 09/30/07
- BMIS LLC Account Statements as of 09/30/07, 10/31/07 and 11/30/07
- BMIS Individual Security Trade Confirmation dated 03/29/07
- Credit memo dated 01/05/07
- Debit memos dated 04/04/07, 06/27/07 and 10/02/07

**2008:**

- BMIS LLC Account Statements as of 02/29/08, 05/31/08, 06/30/08, 07/31/08, 08/31/08, 09/30/08, 10/31/08 and 11/30/08
- Portfolio Management Reports as of 03/31/08, 06/30/08, and 09/30/08
- Credit memo dated 02/08/08
- Debit memos dated 04/11/08 and 09/08/08